1908-037 Chancery Causes Simpson Thomas vs. Almira Thomas
Lee Co.

Stewart

CA-Divorce
T-Vices

To the Honorable H.A.W.Skeen,Judge of the Circuit Court for Lee County, Virginia,

Humbly complaining your complainant Simpson Thomas would respectfully represent and show unto your honor that he is now and has been for more than twelve months before the institution of this suit a citizen and resident of Lee County,Virginia; that he on the _____ day of _____18_____ was intermarried to one Almira Thomas nee _____ ; that they lived together as husband and wife and that he was to her a good,true,and dutiful husband,but that his said wife on the contrary became untrue to your complainant and became guilty of acts of adultery.

Your complainant alleges that his said wife has been guilty of repeated acts of adultery with one Dock Stewart at your complainants home in Lee County, Virginia.

Your complainant alleges that the aforesaid acts of adultery were without his procurment or connivance and that the same were committed within five years before the institution of this suit.

Your complainant alleges that he has not lived with nor cohabited with the said wife since he had knowledge of her acts of adultery.

Your complainant therefore prays that the said Almira Thomas be made a party defendant to this bill and answer the same but not on oath,that being waived; that the bonds of matrimony heretofore contracted and now existing between your complainant and said defendant be desolved. And your complainant be divorced a vinculo matrimonii from the said defendant. ~~X&X~~

May process issue and your complainant be granted all the relief generally that the nature of his case may require or to equity seem meet. And your complainant will ever pray,etc.

C. C. Bales, Ed, M. G. Ely P.Q.

Decree Final
Sept Term 1908

1 B. 8 E.

Simpson Thomas Pfff.

vs } Bill in Chancery

Almira Thomas Deft

Filed Jan. 20 1908
H. C. T. Ewing
Clerk.

1908 1st Mch. Rules
Sum. executed &
" 2nd Mch Rules
cause set for hearing

Costs:

Clerk	$3.50
Atty.	15.00
Tax	1.50
Shff	1.00
Deposition	1.00
	$22.00

The Honorable H.A.W.Skeen,

Judge of the Circuit Court for Lee County,Virginia:

The Answer of Almira Thomas to a bill of complaint filed in the Circuit Court of said County against her by Simpson Thomas.

Your respondant says that it is true that said Complainant was intermarried to your respondant on the _____ day of &_____ 18___, and they lived and cohabited together as man and wife for many years; but it is not true that the complainant was a dutiful and loving husband to your respondant,nor did your respondant become untrue to said complainant and become guilty of acts of adultery with one Dock Stewart or with any other person at complainants home in Lee County, Virginia, or elsewhere,but on the contrary she has ever been a true,faithful and loving wife to her said husband.

But respondant is informed and here alleges that her said husband,the complainant,has been guilty of various acts of adultery in the Pocket Country of Lee County,Virginia and elsewhere within the last five years.

She here charges and alleges that her said husband the complainant committed adultery with one _____ in the Pocket Country of Lee County,Virginia,on the _____ day of _____,19__, and at various other times and places since; and that said acts of adultery on the part of her said husband was without her procurement,consent or connivance,and that she has not cohabited with him since she learned of his said adultery.

Your respondant is informed that said acts of adultery on the part of her husband entitles her to a divorce a Vinculo matrimonii and she prays that this answer be treated as a cross bill and that her said husband the complainant be required to answer the same,but he need not do so under oath that being waived. And that upon a final hearing a divorce avinculo matrimonii be granted her from the complainant and that she

hence be dismissed with her reasonable costs in this cause expended.

And she will ever pray,etc.

J. E. Hoel P.D.

Simpson Thomas
vs In Chancy.
Almira Thomas

Answer and Cross
bill of Defendant.

Filed August 6, 1908.
W. C. P. Ewing
Clerk.

Simpson Thomas
vs
Alvira Thomas } In Chancery.

This cause came on this day to be finally heard upon complainants bill and the answer of the defendant - and the depositions of witnesses, and was argued by counsel. In consideration of all which, it is adjudged, ordered and decreed that the bonds of matrimony heretofore contracted and up to this time existing, be and the same is hereby dissolved and annulled, and that the complainant be given the custody of all the children of said marriage and this cause is stricken from the docket.

Simpson Thomas
vs { Final Decree
Alvira Thomas

Entered in C.O.B.
No 5, Page 4 over

Enter this
decree.

H A W Sheen

Judge.

The depositions of Dr. A. J. Stewart.
taken before the undersigned
Commissioner in Chancery for the circuit Court
of Lee County Va. at the law office of James W
Orr in the town of Jonesville Va, ~~pursuant to~~
~~Notice~~, on this the 16" day of Sept. 1908.
to be read as evidence on behalf of plaintiff
in a certain suit in Chancery pending in the said
circuit Court in which Simpson Thomas is
plaintiff and Alvira Thomas. defendant.
Present J. C. Nael atty for plaintiff
C. C. Bales " " Defft.
The said A. J. Stewart, being duly sworn
deposes and says.

Ques. Are you acquainted with the parties to this suit.
Ans. I am.
Ques. State your knowledge of the defendant being
guilty of any acts of adultery in the last
two years.
Ans. I have several times, at her home in the
Pocket Country, in Lee Co Va. and without
the knowledge, consent or Countenance of Defft.
I am 50 years old and practicing Physician,
in said County.
And further this deponent saith not.
A. J. Stewart. M. D

The foregoing deposition was taken subscribed
and sworn to before me, Sept 16" 1908.
James W Orr. Comr in
Chy.

Simpson Thomas

vs

Depo.

Elmira Thomas.

Filed Sept 16th 1908.

H. E. P. Ewing,

Clerk.

Cour $1.00 D.

The Commonwealth of Virginia,

To the Sheriff of the County of Lee, Greeting:

WE COMMAND YOU, That you summon Almira Thomas

to appear at the Clerk's office of the Circuit Court of the County of Lee, at rules to be held for the said court, on the 1st Monday in March 1908, to answer a bill in chancery exhibited against her in our said Court by Simpson Thomas

And have then there this writ. Witness, H. C. T. EWING, Clerk of our said Court, at the court-house, the 20th day of January, 1908, and 132 year of the Commonwealth.

A Copy, Teste: H. C. T. Ewing, Clerk

_____, Clerk

Exec. tot. Feb 14

Simpson Thomas

VS { SUBPŒNA IN CHANCERY

Almira Thomas

C. C. Bales & M. G. Ely p. q.

To 1st March Rules

Lee Circuit Court

1908.

Executed on the 14th day of Feb. 1908 by delivering a true copy of the within summons to Almira Thomas in Lee Co. Va

E. S. St. Peter D. S. for
W. Y. Tucker
S. L. C.